

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSY BANE GAS-BARAHONA,

Defendant.

Case No. 24-cr-00577-RFL-3 (TSH)

DETENTION ORDER

On November 14, 2024, defendant Jessy Banegas-Barahona was charged by Indictment with illegal distribution of fentanyl, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

This matter came before the Court on November 26, 2024, for a detention hearing. The defendant was present and represented by Hanni Fakhoury. Assistant United States Attorney Charles F. Bisesto appeared for the government. The government moved for detention on the basis of danger to the community and risk of flight. The defendant opposed, and counsel for both sides submitted argument supporting their respective positions. For the reasons stated on the record in Court on November 26, 2024, and for those stated herein – and on the basis of the information received from the Pretrial Services Office, proffers by the parties and the arguments of counsel – the Court finds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. 18 U.S.C. § 3142(e).

Accordingly, the Court ORDERS that the defendant be detained pending resolution of this case.

The present order supplements the Court's findings and order at the detention hearing and

1 serves as written findings of fact and a statement of reasons as required by Title 18, United States
2 Code, Section 3142(i)(1). The Court makes the following findings as the bases for its conclusion:

- 3 (1) The defendant has limited ties to the local community and lacks verifiable employment;
4 (2) The defendant has significant ties to her country of origin, Honduras;
5 (3) Were she to be convicted, the defendant faces a potentially significant custodial
6 sentence, providing her a strong incentive to flee the jurisdiction.

7 These findings establish by a preponderance of the evidence that no condition of
8 combination of conditions will reasonably assure the appearance of the defendant before the Court
9 for future proceedings. These findings are made without prejudice to the defendant's right to seek
10 review of defendant's detention, or file a motion for reconsideration if circumstances warrant it.

11 THEREFORE, pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

12 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
13 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or
14 serving sentences or being held in custody pending appeal;

15 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
16 and

17 3. On order of a court of the United States or on request of an attorney for the government,
18 the person in charge of the corrections facility in which the defendant is confined shall deliver the
19 defendant to an authorized United States Marshal for the purpose of any appearance in connection
20 with a court proceeding.

21 **IT IS SO ORDERED.**

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23 Dated: December 3, 2024

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26 THOMAS S. HIXSON
27 United States Magistrate Judge
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